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SUBJECT: GOJ PREPARES TO SUBMIT ARTICLE 98 AGREEMENT TO PARLIAMENT

11. Two local newspapers on February 13 reported for the first time that Jordan and the U.S. had entered into an Article 98 agreement on December 16, 2004. Citing unnamed "diplomatic sources," Arabic daily Al-Ghad noted that the bilateral agreement was signed during King Abdullah's visit to Washington in December. The revelation came as papers picked up on Washington-based reports that President Bush, in order to ensure disbursement of USD 250 million in economic aid to Jordan, had waived for six months a restriction barring U.S. assistance to countries that are party to the International Criminal Court (ICC) unless they had successfully concluded an Article 98 agreement. English-language daily The Jordan Times quoted the director of Foreign Minister Mulki's private office, Rajab Suqairi, as stating that U.S. aid to Jordan was not in danger since Jordan's membership in the ICC had not yet been ratified by Parliament (and thus technically was not part of Jordanian law).

12. During her weekly news conference on February 15, Government Spokesperson Asma Khader acknowledged that Jordan had concluded an Article 98 agreement, "which was required (by the U.S.) from several world countries." She noted that Jordan had made amendments to the original version submitted by the U.S., including adding provisions so as not to exempt automatically U.S. citizens of dual nationality from ICC prosecution. Khader said that the government would "very soon" be ready to present to the Lower House of Parliament the final agreement for ratification. She stressed that the ICC was a "complementary judicial system" to Jordan's national courts.

HALE